

Subject: LBHI & JPMCB ; January 25, 2016; Settlement Agreement Case: 11-CV-6760

Date: January 27, 2016

From: Rickey Myron Gregory, Motion for Intervention Rule 24, Docket 95, Case: 11-CV-6760

To: Honorable Richard J. Sullivan

Hon. Richard J. Sullivan:

I want to share my thoughts with you on the LBHI & JPMCB ; January 25, 2016; Settlement Agreement.

I strongly feel that the LBHI Lehman Brothers Capital Trust Preferred Securities (TRUPS) holders are an affiliate to JPMorgan more than a customer to JPMorgan:

affiliate

Definitions (2)

1.Commerce: Two parties are affiliates if either party has the power to control the other, or a third party controls or has the power to control the both. Affiliation also exists in (1) in interlocking directorates or ownership

<http://www.businessdictionary.com/definition/affiliate.html>

The LBHI TRUPS Special Purpose Vehicle (SPV) is a subsidiary to LBHI via LBHI's ownership of the LBHI TRUPS common shares. JPMorgan, LBHI's TRUPS Guarantee Trustee, is an affiliate to the TRUPS holders via control.

Our LBHI CTs Guarantee Trustee control our interest and our claims and our money. JPMorgan can ignore asserting successor rights or assumption clauses in our underwriters guarantee (Barclays purchase of LBI). JPMorgan can assert or not assert claims in court for the LBHI TRUPS holders.

A customer can just walk away from JPMorgan most of the time.

An affiliate has to always engage in a transaction (sell securities) before walking away from JPMorgan.

LBHI CT holders are JPMorgan's affiliate. JPMorgan does not control its customers.

New definition:

“Non-CDA Claims” means any claims filed by JPMorgan for an affiliate, as agent, as trustee, in any other representative capacity, or otherwise in respect of which JPMorgan did not assert in the relevant proofs of claim that such claims were secured by the collateral posted by LBHI pursuant to its August and September 2008 Guaranties and Security Agreements in favor of JPMorgan

Old definition:

“Non-CDA Claims” means any claims filed by JPMorgan for a customer, as agent, as trustee, in any other representative capacity, or otherwise in respect of which JPMorgan did not assert in the relevant proofs of claim that such claims were secured by the collateral posted by LBHI pursuant to its August and September 2008 Guaranties and Security Agreements in favor of JPMorgan.

cus•tom•er/'k?st?m?r/

noun

a person or organization that buys goods or services from a store or business.

a person or thing of a specified kind that one has to deal with.

I did not pay for any services from JPMorgan! LBHI is paying JPMorgan to be our Guarantee Trustee. No rules of construction are needed to understand this definition.

A JPMorgan affiliate or subsidiary has to deal with JPMorgan the same as a customer. A JPMorgan subsidiary or affiliate is a JPMorgan customer as well.

"Lehman and its creditors argued that the 2008 agreement — which it said was "forced" upon it — allowed JPMorgan to apply the \$8.6 billion in collateral to its affiliates, subsidiaries and successors, but that customers do not qualify as any of those. "

<http://www.law360.com/articles/305329/jpmorgan-to-return-700m-to-lehman-in-settlement>

"a) recover judgment, in its own name and as trustee of an express trust, against the Guarantor for the whole amount of any Guarantee Payments remaining unpaid "

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Quote:

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2.10. Guarantee Trustee May File Proofs of Claim. Upon the occurrence of a Guarantee Event of Default, the Guarantee Trustee is hereby authorized to (a) recover judgment, in its own name and as trustee of an express trust, against the Guarantor for the whole amount of any Guarantee Payments remaining unpaid and (b) file such proofs of claim and other papers or documents as may be necessary or advisable in order to have its claims and those of the Holders of the Securities allowed in any judicial proceedings relative to the Guarantor, its creditors or its property.

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[http://www.sec.gov/Archives/edgar/data/806085/000104746903008869/a2105775zex-4\\_05.htm](http://www.sec.gov/Archives/edgar/data/806085/000104746903008869/a2105775zex-4_05.htm)

See LBHI TRuPS/subordinate notes Bank of New York Mellon claim numbers below:

Ticker

Claim Number

Cusip Number

Issuer/Trust

LEHKQ

21805

52519Y209

Lehman Brothers Holdings Capital Trust III

LEHLQ

22122

52520B206

Lehman Brothers Holdings Capital Trust IV

LHHMQ

22123

52520E200

Lehman Brothers Holdings Capital Trust V

LEHNQ

67753

52520X208

Lehman Brothers Holdings Capital Trust VI

Regards,

Rickey Myron Gregory



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